

## Message Text

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PAGE 01 CAPE T 00850 251734Z  
ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00  
INRE-00 SS-15 NSC-05 SP-02 L-03 H-01 DHA-02  
MCT-01 CIAE-00 INR-07 NSAE-00 PRS-01 PA-01 DODE-00  
/074 W  
-----251741Z 041623 /46

O 251715Z MAY 77  
FM AMEMBASSY CAPE TOWN  
TO SECSTATE WASHDC NIACT IMMEDIATE 6149  
USMISSION USUN NEW YORK NIACT IMMEDIATE  
INFO AMEMBASSY BONN IMMEDIATE  
USMISSION GENEVA IMMEDIATE  
AMEMBASSY LONDON IMMEDIATE  
AMEMBASSY OTTAWA IMMEDIATE  
AMEMBASSY PARIS IMMEDIATE  
AMEMBASSY PRETORIA

C O N F I D E N T I A L CAPE TOWN 0850

E.O. 11652: GDS  
TAGS: SF, WA, PFOR  
SUBJ: NAMIBIA: PENDING EXECUTION OF NDUVUU FILEMON NANGOLO

REF: 76 PRETORIA 2348, AF/S KEOGH-DCM NELSON TELECONS  
MAY 25

1. I HAVE SPOKEN TO FOREIGN MINISTER BOTHA ABOUT NANGOLO CASE TO EXPRESS DEEPEST CONCERN ABOUT THE POTENTIAL DAMAGING EFFECTS ON OUR MUTUAL EFFORTS TO RESOLVE THE NAMIBIA ISSUE AND TO URGE A STAY OF EXECUTION. BOTHA SAID HE KNEW NOTHING ABOUT CASE BUT RECOGNIZING ITS SIGNIFICANCE INDICATED HE WOULD LOOK INTO IT RIGHT AWAY.

2. ACCORDING TO THE INFORMATION WE HAVE BEEN ABLE TO GATHER THUS FAR FROM PRESS, SWAPO, AND WINDHOEK LEGAL AND CHURCH SOURCES, NDUVUU FILEMON NANGOLO, AGE 24, WAS CONFIDENTIAL

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ARRESTED IN KATUTURA TOWNSHIP OF WINDHOEK IN APRIL 1976, IN CONNECTION WITH MURDER OF ONE ADULT AND ONE CHILD IN DECEMBER 1975 (75 PRETORIA 4931) AND TWO ADULTS TWO MONTHS LATER (76 PRETORIA 0746). NANGOLO WAS INITIALLY CHARGED WITH BOTH MURDER AND TERRORISM. THE TERRORISM CHARGE WAS DROPPED AND NANGOLO WAS CONVICTED IN SEPTEMBER 1976 ON THE MURDER CHARGE AND SENTENCED TO DEATH. HIS

APPEAL TO THE HIGH COURT IN BLOEMFONTEIN WAS DENIED LAST WEEK. OUR LEGAL SOURCE IN WINDHOEK (WHO ASKED TO BE PROTECTED BECAUSE HE WAS NOT SUPPOSED TO BE PRIVY TO THE INFORMATION) ADVISES HE (1) SAW LETTER FROM MIN JUSTICE KRUGER TO PRESIDENT DIEDERICHS SEEKING A REPRIEVE FOR NANGOLO WHICH WAS REJECTED BY THE PRESIDENT, AND (2) HAS LEARNED EXECUTION IS SET FOR MONDAY, MAY 30. LEGAL SOURCE IS OF THE OPINION THE KRUGER REPRIEVE LETTER WAS PRO FORMA PROCEDURE TO DISPOSE OF NANGOLO'S FINAL RE COURSE. RE EXECUTION DATE, CHIEF WARDEN OF WINDHOEK PRISON TOLD EMBOFF EARLY THIS MORNING IT HAD NOT YET BEEN SET. BELIEVE OUR LEGAL SOURCE IS MORE LIKELY TO BE CORRECT.

3. THE CASE WILL BE MORE AWKWARD TO HANDLE WITH MURDER UNDER ORDINARY CRIMINAL LAW RATHER THAN THE TERRORISM ACT INVOLVED. SWAPO WILL NATURALLY NOT BE DETERRED FROM CONTINUING TO INSIST THIS IS A PURELY POLITICAL CASE. SUCH VIEW ILL BE WIDELY ENDORSED IN AFRICA AND THE UN. MOREOVER, PRESS DEPICTS NANGOLO AS ONE OF MUST WANTED NAMIBIAN TERRORISTS AT THE TIME OF HIS APPREHENSION. EMOTIONAL ELEMENT IS STRENGTHENED BY FACT THAT NANGOLO IS PARALYZED AS RESULT OF BULLET WOUND RECEIVED AT THE TIME OF HIS ARREST (76 CAPE TOWN 450).

4. DEPT. MAY WISH TO CONSULT WITH ARTHUR PICKERING, AN IV GRANTEE NOW IN THE US, WHO WAS NANGOLO'S DEFENSE COUNSEL. PICKERING CAN BE LOCATED THROUGH CU/AF TONY DALSIMER (EXT. 23281). WE UNDERSTAND PICKERING IS EN CONFIDENTIAL

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ROUTE TODAY, MAY 25, FROM SAN FRANCISCO TO NEW YORK WHERE HE IS DUE TO ARRIVE AT 1800 LOCAL AND WHERE PROGRAM BEING ARRANGED BY DEPT OF STATE RECEPTION CENTER (PHONE: 399-5647). PICKERING TO STAY AT PICADILLY HOTEL (PHONE: CI-66600).

5. TRANSMITTED BY SEPTEL IS MESSAGE WE HAVE RECEIVED FROM SWAPO WINDHOEK REQUESTING US AND INTERNATIONAL COMMUNITY TO PURSUADE SAG NOT TO CARRY OUT THE EXECUTION OF NANGOLO. BOWDLER

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## Message Attributes

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**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXECUTIONS, TERRORISTS  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**TAGS:** PFOR, PORS, SF, WA, (NANGOLO, NDUVUU FILEMON)  
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**Review Markings:**  
Margaret P. Grafeld  
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